

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

VAUGHN HARRIS,)	
)	
)	
Plaintiff,)	
)	Civil No. 3:15-cv-0356
v.)	Judge Sharp
)	
DAVIDSON COUNTY SHERIFF, et al.)	
)	
Defendants.)	

ORDER

Pending before the Court is a Report and Recommendation (“R & R”) of the Magistrate Judge (Docket No. 135), recommending that the Court dismiss Plaintiff Vaughn Harris’s complaint against Defendant A. Hayes.

Harris filed his Complaint on April 1, 2015. (Docket No. 1.) He was initially allowed to pursue only his claims against Defendant Correct Care Solutions, but was later allowed to amend his complaint to add Hayes as a defendant. (Docket Nos. 12-1, 36.) On June 18, 2015, the Magistrate Judge then directed the Clerk to send Harris a service packet for a few defendants, including Hayes. (Docket No. 135.) More than a year has passed since that Order, yet Harris still has not served Hayes.

In his R & R, the Magistrate Judge found that Harris, “despite being warned, has taken no action to complete service of process.” (Docket No. 135, p. 2.) Under the circumstances, the Magistrate concluded that dismissal without prejudice is appropriate. Harris has filed no objections to the R & R.

Where no objections are made to the R & R, “[t]he district judge may accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the magistrate judge with instructions.” FED. R. CIV. P. 72(b).

Having conducted a *de novo* review in accordance with Rule 72, the Court will accept the disposition set forth in the R & R. Accordingly, the Court rules as follows:

(1) The R & R (Docket No. 135) is hereby ACCEPTED and APPROVED; and

(2) Harris’s claims against A. Hayes are DISMISSED WITHOUT PREJUDICE.

The Clerk of the Court shall enter Final Judgment in a separate document in accordance with Rule 58 of the Federal Rules of Civil Procedure.

It is SO ORDERED.



KEVIN H. SHARP
UNITED STATES DISTRICT JUDGE